

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF AUGUST 6, 2002.**

**ATTENDANCE**

**COUNCIL:** Louis C. Benjamin, Jr. (Chair - District 4), Jerry Trumps (Vice Chair - District 6), Bobby Badeaux (District 1), Robert Castille (District 2), Chris Williams (District 3), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

**ABSENT:** None

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk of the Council) and Anne Patin (Senior Administrative Assistant)

**ADMINISTRATIVE STAFF:** Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Becky LaLumia (Associate CAO/Finance Management), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Robert Benoit (Director of Planning, Zoning and Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Utilities Director), Tim Breaux (Director of Community Development), John Raines (Public Works Director), Steve Dupuis (Legal Counsel)

**COMMENCEMENT**

(TAPE 1)(SIDE A)(662) AGENDA ITEM NO. 1: Call to order.

Chair Louis C. Benjamin, Jr. called the Regular Council Meeting of August 6, 2002 to order.

(TAPE 1)(SIDE A)(663) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Jerry Trumps was called upon to deliver the invocation and lead the Pledge of Allegiance.

At this point, Lafayette City-Parish President Walter Comeaux was recognized and read a Proclamation proclaiming August 6, 2002 as “National Night Out”. Present to receive the proclamation were various members of the Crime Prevention Advisory Commission (CPAC), Sheriff Mike Neustrom, Police Chief Ronnie Boudreaux and numerous members of the Police Force and the Sheriff’s deputies.

The Chair then made the following announcements:

- Wished Happy Birthday to Glenn Weber, CAO, on his 60<sup>th</sup> birthday.
- Reminder that the 2002-2003 budget hearings begin on Wednesday, August 7<sup>th</sup> at 5:00 p.m.
- Comments from the public will be allowed on Introductory Ordinances after all have been read and speakers will be allowed 2 minutes collectively

(TAPE 1)(SIDE B)(024) AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT’S REPORT

Comeaux introduced Councilmember Chris Williams and Mark Pope, Recycling Supervisor, to speak about the recycling program at the Lafayette Fire Stations. Containers for recycling were displayed. Williams thanked the Council for their support. Pope can be reached at 291-8529 for further information on the program.

Bids recommended for award:

ITEM	VENDOR	LUS ITEM	COUNCIL APPROVAL NEEDED	LOW RESPONSIVE BID	ESTIMATED CONTRACT AMOUNT
Splice Closures	Reily Electrical Supply	Y	Y	LOW	\$22,024.20
Water Projects	SPI Municipal	Y	Y	LOW	\$22,620.40

Motion to approve all bids by Menard, seconded by Mouton, and the vote was as follows:  
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard  
NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE B)(076) AGENDA ITEM NO. 4: COUNCIL ANNOUNCEMENTS

- Broussard requested that the Administration consider submitting a budget amendment to the Council that would direct funds into Public Works for contractual services and expedite the roadside ditch cleaning. He explained that he has had numerous phone calls from constituents concerned about the West Nile virus.
- Williams requested a timeline on the situation with the junked vehicles (the issue was insurance requirements). Weber suggested that recommendations could be made in thirty (30) days.

**ORDINANCES FOR FINAL ADOPTION**

(TAPE 1)(SIDE B)(111) AGENDA ITEM NO. 5: O-155-2002 An ordinance of the Lafayette City-Parish Council authorizing the City-Parish President to execute a local services agreement on behalf of the Parish of Lafayette and the City of Lafayette with nine (9) other taxing authorities in order to establish and allow participation in a program to sell abandoned adjudicated properties in Lafayette Parish, Louisiana, motion to adopt as amended by Menard, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Trumps

RECUSED: None

*Motion was unanimously approved.*

David Abraham, Assistant City-Parish Attorney, explained that first, it will have to be determined that the property is actually abandoned. This ordinance will move the property, that has been abandoned and nobody is using, and place it back into the community. This program is the only way to obtain those properties and transfer them to people who will use them. There are approximately 400 to 600 properties in this state now. It will have to be done on a case by case basis and each piece of property will have to come before the Council. The Council will have the opportunity to review the property, vote on whether this property meets the criteria and can be transferred and whether it can be transferred at the price that the people are offering to purchase it. This program will have very strict guidelines. In order to keep large corporations from buying up the properties, each property will be sold individually and the Council has a right to say "no". He added that it is suggested that the buyer have an attorney because these properties are being sold without warranty of good title. It will be bought based upon their observe on their search of the records that LCG has good title.

Dupuis suggested that the Council review the program approximately 10 months from start so that they can be in a position to assess the situation before the annual meeting with the other agencies. If the Council should decide to pull out of the program, they would have to notify the other taxing authorities. Williams requested that a Liaison call a briefing to be held at that time.

Upon questioning by Trumps, Dupuis explained that the program would be administered through the City-Parish Attorney's office to get the program started. Once established, Revenue Collection or Community Development would be used as backup.

(TAPE 1)(SIDE B)(405) AGENDA ITEM NO. 6: O-177-2002 An ordinance of the Lafayette City-Parish Council amending Ordinance O-138-2002 by revising the effective date of electric, water, and wastewater rates for customers of the Lafayette Utilities System (LUS) who reside outside the corporate limits of the City of Lafayette, motion to adopt by Menard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: Williams

ABSENT: None

RECUSED: None

*Motion was approved.*

At the request of the Points of View residents, Menard introduced this ordinance to revise the effective date in order to give these residents time (6 months) to go through the annexation process. He urged support of this ordinance.

Trumps informed the Council that the corresponding LPUA ordinance failed by a 2/1 vote. If this ordinance does pass it will have to be reconsidered by the LPUA. Until that time, the ordinance can not take effect.

Upon questioning by Williams, Menard stated that the subdivision had not petitioned to be annexed before the ordinance was adopted and they immediately petitioned to be annexed after and were told it would take six (6) months to process. That is why they have asked for a delay in the effective date in the ordinance.

(TAPE 1)(SIDE B)(574) AGENDA ITEM NO. 7: O-178-2002 An ordinance of the Lafayette City-Parish Council approving the application submitted by Gaar Group, L.L.C., Joseph Frazer Gaar, Sr. Owner, for participation in the State of Louisiana Restoration Tax Abatement Program, motion to adopt by Broussard seconded by Mouton, and the vote was as follows:

YEAS: Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: Badeaux, Castille

ABSENT: None

RECUSED: None

*Motion was approved.*

Cathy Webre, DDA Director, explained in tax abatement process that property owners continue to pay property taxes at the pre-improvement level so that goes to all the taxing bodies as normal but it's at the increment of change in the improvement level that they get an abatement for five (5) years, renewal to ten (10) years. She added that Mr. Gaar has already done most of the renovations. He was not fully aware of the program at the time of renovation, however; the Department of Commerce allows for tax abatement after renovations.

(TAPE 1)(SIDE B)(666) AGENDA ITEM NO. 8: O-179-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$35,655.00 from various completed CIP work orders to the Council's CIP reserve, motion to adopt by Trumps, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE B)(706) AGENDA ITEM NO. 9: O-180-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$1,200.00 received from the Wal-Mart Foundation, appropriating to the Lafayette City Police Department (hereinafter "LPD") for the purchase of equipment & supplies to be used for the DARE Program, motion to adopt by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

Chief Boudreaux stated that a camera and printer will be purchased to take fingerprint pictures and pictures of juveniles for identification. There are no matching funds.

(TAPE 2)(SIDE A)(014) AGENDA ITEM NO. 10: O-181-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$2,625.00 received from the Louisiana Highway Safety Commission (LHSC), and appropriating to the Lafayette City Police Department Patrol Division (hereinafter "LPD") for the purchase of equipment needed in conducting DWI enforcement as well as other traffic related efforts designed to reduce the number of traffic-related fatal and injury crashes, motion to adopt by Mouton, seconded by Trumps, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

Lt. Ray Schexnider, LPD, stated the Police Department conducts OWI checkpoints throughout the City and the State Safety Commission has granted a one-time grant to fund additional equipment for these checkpoints.

(TAPE 2)(SIDE A)(036) AGENDA ITEM NO. 11: O-183-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of funds and amending the manning tables of the Parks and Recreation Department by deleting one (1) Parks Maintenance Manager and adding one (1) Parks Maintenance Supervisor according to the departmental reorganization approved by the Civil Service Board, motion to adopt by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 2)(SIDE A)(050) AGENDA ITEM NO. 12: O-184-2002 An ordinance of the Lafayette City-Parish Council declaring the Westside Electric Substation Project a public necessity and authorizing the acquisition of property and the necessary rights-of-way and other property rights requisite to the construction of said project, either on an amicable basis or through the expropriation process, if necessary, motion to adopt by Menard, seconded by Trumps, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 2)(SIDE A)(060) AGENDA ITEM NO. 13: O-185-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the of the Lafayette City-Parish Consolidated Government and amending Wastewater Work Order 3820, motion to adopt by Menard, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

#### **ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS**

(TAPE 2)(SIDE A)(068) AGENDA ITEM NO. 14: Due to term expirations, two (2) vacancies will exist on the Lafayette Preservation Commission for a four year term effective August 31, 2002. Individuals wishing to submit resumes for the above volunteer positions must be a registered voter and reside within the corporate limits of the City of Lafayette.

Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017- C, Lafayette, LA 70502 no later than noon, Monday, August 19 with Council appointments to be made on August 20, 2002.

#### **CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/ COMMISSIONS**

(TAPE 2)(SIDE A)(077) AGENDA ITEM NO. 15: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
C-P President	Jerry Reaux P. O. Box 3607 Lafayette, LA 70502	Downtown Development Authority	to fill an unexpired term till 8/31/2003	8/06/2002
Police Dept. Employees	Les Jones 401 Steeple Chase Lafayette, LA 70506	Fire & Police Civil Service Board	3 years	7/26/2002
C-P President	Leon Moncla P. O. Box 53148 Lafayette, LA 70505	Cajundome Commission	4 years	7/21/2002

## **INTRODUCTORY ORDINANCES**

(TAPE 2)(SIDE A)(087) AGENDA ITEM NOS. 16 – 35 :

A motion was offered by Broussard, seconded by Stevenson to approve for introduction O-190-2002, and the vote was as follows:

YEAS: Benjamin, Mouton, Stevenson, Menard

NAYS: Badeaux, Castille, Williams, Broussard, Trumps,

ABSENT: None

RECUSED: None

*Motion failed.*

18. O-190-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$876,665 from Prior Year Fund Balance for the purchase of 20 marked vehicles and 8 unmarked vehicles within the Police Department.

A motion was offered by Trumps, seconded by Broussard, to approve the introduction of the remaining ordinances, in-globo, with amendments to #25 and #26 (see below), and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

## **ZONING**

16. O-188-2002 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify a portion of Percy Guidry Investments, Inc., Case No. Z2002-014 Percy Guidry Investments Property Rezoning, located generally east of Johnston Street, south of Bellevue Plantation Road, and north of Camino Real Road, from B-T (Transitional Business) to B-G (General Business)
17. O-189-2002 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, so as to reclassify certain properties south of Ambassador Caffery Parkway, Case No. Z2002-016 Home Furniture et al Property Rezoning, located generally south of Ambassador Caffery Parkway, east of Galbert Road, and north of Eraste Landry Road, from R-2 (Multi-Family Residential) to B-G (General Business).

## **INTRODUCTORY ORDINANCES**

19. O-191-2002 An ordinance of the Lafayette City-Parish Council authorizing the Tax Assessor and Tax Collector for the Parish of Lafayette to assess and collect the millage rate for 2002 at the rate of 1.24 mills for the Lafayette Airport Commission.
20. O-192-2002 An ordinance of the Lafayette City-Parish Council authorizing the Tax Assessor and Tax Collector for the Parish of Lafayette to assess and collect the increased millage rate for 2002 at the rate of 1.41 mills for the Lafayette Airport Commission.

21. O-193-2002 An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-099-2002 by deleting reference to the 90 day time period.
22. O-194-2002 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a drainage easement on Lot 16 of La Village Subdivision, having a municipal address of 125 Belle Maison Drive.
23. O-195-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government to recognize a \$600.00 donation from Wal-Mart Foundation to the Fire Department and assigning those funds to the proper budgetary account within the Fire Department.
24. O-196-2002 An ordinance of the Lafayette City-Parish Council amending the Fiscal Year 2001-2002 Multi-Year Capital Improvements Budget of the Lafayette City-Parish Consolidated Government to advance up to \$75,000 for engineering, architectural, construction and other costs of the Edna Drive Coulee Bond Project scheduled for Fiscal Year 2001-2002 and declaring the official intent of the Lafayette City-Parish Consolidated Government to expend general funds or sales tax revenues for purposes for which the bonds of the City are anticipated to be issued and to later reimburse such expenditures from sale proceeds.
25. O-197-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$225,000 from Reserve - Streets to Kaliste Saloom Frontage - Phase I Project within the Department of Public Works for additional funding needed  
  
Amendment – to change \$125,000 to \$225,000.
26. O-198-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government identifying roads to be reconstructed and/or resurfaced in the Parish Capital Outlay Plan.  
  
Amendment – to change *Beau Bassin Road (Portion – Gloria Switch/WT Bridge)* to *Beau Bassin Road (Portion – Gloria Switch/BB Coulee)*
27. O-199-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by recognizing revenue in the amount of \$3,775,424 from the Federal Transit Administration Section 5309 Grant No. LA-03-0065-02 and the transfer of \$240,750 from Council Reserve and appropriating within the Traffic and Transportation Department, Transit Division.
28. O-200-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by recognizing, accepting and allocating \$5,200 from Grant No. LA-90-X116-00 and transferring \$1,300 from 99 New Transit Bus Purchases - 4 to the Traffic and Transportation Department, Transit Division for funding needed
29. O-201-2002 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into a Joint Cooperative Endeavor Agreement with the University of Louisiana at Lafayette Community Design Workshop to assist in the Comprehensive Access Management and Design Plan for Ambassador Caffery Park South for the Metropolitan Planning Organization.
30. O-202-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government authorizing the increase in the Planning Fund FTA (PL) 2002-2003 within the Department of Traffic and Transportation in the amount of \$35,154.00 and to authorize the Lafayette City-Parish President to execute the contract for Metropolitan Planning, Lafayette Metropolitan Study Area.
31. O-203-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the increase in the Planning Fund FHWA (PL) 2002-2003 within the Department of Traffic and Transportation in the amount of \$253,585 and to authorize the

Lafayette City-Parish President to execute the contract for Metropolitan Planning, Lafayette Metropolitan Study Area.

32. O-204-2002 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Section 86-402, Short Term Parking.
33. O-205-2002 An ordinance of the Lafayette City-Parish Council amending the FY 2001-2002 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the increase in revenues in the amount of \$115,000 from the United States Environmental Protection Agency Water System Security Grant Program.
34. O-206-2002 An ordinance of the Lafayette City-Parish Council authorizing the acquisition of certain land for an expansion of the Acadiana Nature Station Park.
35. Comments from the public concerning the above Introductory Ordinances.

None.

**ADJOURN**

(TAPE 2)(SIDE A)(245) There being no further business to come before the Council, Chair Benjamin declared the Regular Council meeting adjourned.

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NORMA A. DUGAS  
CLERK OF THE COUNCIL